

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 10069 of 2004

Between:

- 1 State Federation of Weaker Section, (SC, ST, BC & EWS) Osmania University Campus, O.H.B.29, Jamia Osmania, Hyderabad rep. By its Secretary Sri k.Meena Ram
- 2 Sri K.Meena Ram, S/o.Late K.Narsimha, R/o.O.H.B.29, Jamia Osmania, Hyderabad.

..... PETITIONER(S)

AND

- 1 The Dist.Collector, RR District.
- 2 R.D.O., Shameerpet Mandal, RR District.
- 3 M.R.O.Shameerpet Mandal, RR District.
- 4 Govt. of A.P.rep.by its Prl.Secretary, Revenue Dept., Secretariat, Saifabad, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order direction more particularly one in the nature of writ of Mandamus declaring the inaction of the respondents in not allotting the vacant land in Sy.No.243, 260, 377, 378 total admeasuring Ac.10.364 gts in favour of the petitioner organisation as being arbitrary, illegal and unconstitutional and consequently direct the respondents to allot the said land in favour of the petitioner organisation as per nominal market value in the interest of the poor people.

For the Petitioners:MR.S.NIRANJAN REDDY

For the Respondents.: GP FOR REVENUE

The Court at the admission stage Made the Following :

ORDER:

This writ petition is filed praying for a direction to the respondents to allot the vacant land admeasuring Ac.10-364 guntas in Sy.No.243, 260, 377 and 378 of Shameerpet Mandal in favour of the petitioners' organization at nominal market value for the purpose of distribution of the same among the poor people.

According to the petitioner, it is an organization established for upliftment and development of needy and house-less poor people belonging to Scheduled Caste, Scheduled Tribe, Backward Class, Economically Weaker Sections and Minorities. It made a representation to the 3rd respondent – M.R.O for issuing pattas to the members of the organization in respect of the land stated above. After the recommendations from the M.R.O and Special Grade Deputy Collector to the District Collector, in favour of allotment of the land and after furnishing certain documents as per the instructions of the District Collector, the petitioner-Organization ultimately made a representation on 30-10-2003 for allotment of the said land. Alleging that no further action has been taken by the respondents on the said representation, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

It is to be noted that granting of pattas for allotment of house sites to the poor and weaker sections is a Government policy and it is the prerogative of the executive, basing on several factors like, availability of land, eligibility of the persons seeking pattas etc., and this court cannot issue directions to the respondents under Article 226 of the Constitution of India to allot particular land to a particular group of people. Hence, I am not inclined to adjudicate the merits of the writ petition.

In the circumstances the writ petition is dismissed at the stage of admission. However, it does not preclude the respondents from considering and disposing of the representation dated 30-10-2003 made by the petitioner - organization. No costs.

21-6-2004

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- 1 The Dist.Collector, RR District.
- 2 R.D.O.,Shameerpeta Mandal, RR District.
- 3 M.R.O.Shameerpeta Mandal, RR District.
- 4 Prl. Secretary, Revenue Dept.,
A.P. Secretariat, Saifabad, Hyderabad.
5. 2 C.Cs. to G.P. for Revenue, High Court buildings (O.U.T.)
6. 2 C.D. copies
7. One spare copy